

LADAS & PARRY LLP
INTELLECTUAL PROPERTY LAW

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-Celebrating 100 Years-

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January 26, 2017

Honorable Paul G. Gardephe
United States District Court
Southern District of New York
500 Pearl Street, Room 2204
New York, NY 10007

**Re: Request for Participation By Telephone
In February 9, 2017, 12:30 p.m Conference
The Basu Group Inc. v. Seventh Avenue, Inc.
Case No. 16-cv-00461 - PGG
Our File C15675543**

Dear Judge Gardephe:

On January 26, 2017 the Court has scheduled a conference in this matter on February 9, 2017, at 12:30 p.m. in Courtroom 705, Document 51. The scheduling order followed (1) Plaintiff's pre-motion letter filed January 4, 2017, Document 48 and (2) Defendant's pre-motion letter filed and docketed January 23, 2017, Document 50 (previously filed January 9, 2017).

The undersigned, counsel for Defendant, admitted *pro hac vice*, requests the permission of the Court to participate in the conference by telephone. The reasons for this request are:

- (1) the undersigned attorney has conducted and defended all the depositions in this case;
- (2) the undersigned attorney is the attorney most familiar with the business of Defendant;
- (3) the undersigned attorney has participated in and viewed all the discovery in the case;
- (4) the undersigned attorney is familiar with the legal issues presented and is the primary author of substantially all the pleadings submitted by Defendant;
- (5) the undersigned attorney maintains his office in Chicago, Illinois;
- (6) telephone participation would result in significant savings in transportation costs to Defendant as compared to personal attendance by the undersigned and a savings in travel time to the undersigned.

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The undersigned has asked counsel for Plaintiff, Michael Gilman, if he would agree to telephone participation, subject, of course, to the Court's approval, and Mr. Gilman agreed.

Accordingly, the undersigned, David C. Brezina, *pro hac vice*, requests permission by the Court to participate in the February 9, 2017 conference by telephone.

Respectfully submitted,

A handwritten signature in black ink, reading "David C. Brezina". The signature is written in a cursive, slightly slanted style.

David C. Brezina DB4599 (*pro hac vice*)

DCB:msw

cc: Michael Gilman, Attorney for Plaintiff